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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Oil, Gas & Mining

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Division Director

Inspection Report

Minerals Regulatory Program

May 31, 2011

Reviewed: _____

Mine Name: Freedom from War	Permit Number: S/039/0024
Operator Name: Wall and Rock/Boyd Brotherson	Inspection Date: May 25, 2011
Inspector(s): Paul Baker	Time: 4:30-5:00 PM
Other Participants: None	Mine Status: Recently active

Elements of Inspection	Evaluated	Comment	Enforcement
1. Permits, Revisions, Transfer, Bonds	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Public Safety (shafts, adits, trash, signs, highwalls)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Protection of Drainages / Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Deleterious Material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Roads (maintenance, surfacing, dust control, safety)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Backfilling/Grading (trenches, pits, roads, highwalls, shafts, drill holes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Revegetation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Permit fee: Delinquent for 2008-2010 **Bond Renewal Date:** November 6, 2010 **Bond Amount:** \$7000

Purpose of Inspection:

I wanted to see whether any mining was occurring.

Inspection Summary:

1. Permits, Revisions, Transfer, Bonds

As noted above, the permit fee for the Freedom from War site has not been paid since 2007.

John Rogers and I met with Boyd Brotherson in May 2010 and discussed the status of the site which is permitted to Wall and Rock, Inc. Mr. Brotherson is the land owner and told us he would not allow the operator back on the property. He indicated he was slowly doing reclamation but was selling a few rocks in the process.

My purpose in conducting this inspection was to see whether reclamation had progressed or if mining operations were taking place.

9. Revegetation

I found a few plants of what I believe to be diffuse knapweed in the southwest portion of the area. Diffuse knapweed is a listed noxious weed and needs to be controlled.

10. Other

It is clear that mining operations are taking place. There are areas that have been recently dug, and there are new piles of rock. I could see no evidence of reclamation.



Conclusions and Recommendations:

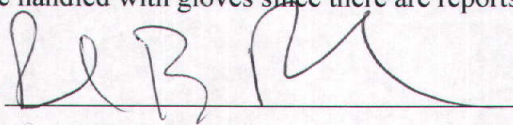
Mr. Brotherson, or another entity, needs to submit a notice of intention (NOI). I believe the disturbed area, not including the area disturbed under the Freedom from War notice of intention, is less than ten acres, so it should be a notice of intention to commence small mining operations.

The operator is being given a deadline of June 8, 2011, to submit the NOI. I will issue a cessation order if the NOI is not received by that date. The reclamation surety will be based on information in the NOI, and it will need to be submitted shortly after the NOI is received.

As I look at the photos from the inspection done a year ago, I realize it was a mistake not to have made this requirement at that time.

The diffuse knapweed should be controlled. It should be possible to simply dig it. I believe I only saw two plants. It should be handled with gloves since there are reports it may have carcinogenic properties.

Inspector's Signature

A handwritten signature in black ink, appearing to be 'TBW', written over a horizontal line.

PBB

cc: Todd Wilhite, Wall and Rock; Boyd Brotherson

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